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5 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
6 AT SEATTLE

7 RAYMOND EARL DEVORE,

8 Petitioner,

9 v.

10 UNITED STATES OF AMERICA,

11 Respondent.

C21-0056 TSZ
[related to CR15-160]

ORDER

12 THIS MATTER comes before the Court on petitioner's motions, docket nos. 1 &
13 6, brought pursuant to 28 U.S.C. § 2255, seeking reinstatement of his right to appeal from
14 the Amended Judgment entered March 30, 2023, in Case No. CR15-160, docket no. 277.
15 Petitioner wishes to seek review as to Special Condition of Supervision No. 9, which was
16 imposed over his objection, and he contends that the failure to timely appeal was the
17 result of ineffective assistance of his previously appointed counsel, Timothy Lohraff. In
18 light of the Government's response to the § 2255 motions, indicating no objection to the
19 relief sought by petitioner, the Court hereby ORDERS as follows:

20 (1) Assistant United States Attorney Michael Dion and counsel of record for
21 petitioner in this matter, Christopher Carney, are DIRECTED to provide to the Court,
22 within fourteen (14) days of the date of this Order, a form of judgment to be entered in
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1 Case No. CR15-160. Upon presentation of such form of judgment, the Court will vacate
2 the Amended Judgment entered March 30, 2023, and enter the new or substitute
3 judgment, without a hearing, thereby restarting the period of time for petitioner to appeal.

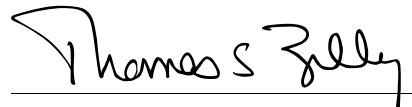
4 (2) Mr. Carney has been appointed as counsel for Raymond Earl DeVore in
5 Case No. CR15-160, and he shall make arrangements for a notice of appeal to be timely
6 filed on Mr. DeVore's behalf in Case No. CR15-160.

7 (3) Petitioner's § 2255 motions, docket nos. 1 & 6, are GRANTED solely as
8 set forth in this Order.

9 (4) The Clerk is DIRECTED to send a copy of this Order to all counsel of
10 record and to CLOSE this case.

11 IT IS SO ORDERED.

12 Dated this 28th day of June, 2024.

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15 Thomas S. Zilly
16 United States District Judge
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